

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ARTHUR J. WHEELER,

Plaintiff(s),

vs.

TERRIBLE HERBST,

Defendant(s).

Case No. 2:10-cv-00866-GMN-NJK

ORDER DENYING PROPOSED
DISCOVERY PLAN
(Docket No. 47)

Pending before the Court is the proposed discovery plan (Docket No. 47), which is hereby **DENIED**. The proposed discovery plan incorrectly states the deadline for extensions or modifications to the discovery plan. *See* Docket No. 47 at 3. For some time now, the Local Rules have made clear that requests for extensions must be filed at least 21 days before the expiration of the “subject deadline.” *See* Local Rule 26-4.¹ This distinction is important. For example, a request to extend the initial expert disclosure deadline must be made at least 21 days before the expiration of that deadline; such a request made only 21 days before the discovery cut-off would be untimely.

IT IS SO ORDERED.

DATED: October 4, 2013



NANCY J. KOPPE
United States Magistrate Judge

¹ This should be clear to counsel based not only on the language of the rule itself, but by the Court’s guidance provided in other cases. *See, e.g., Cleverly v. Sun City Community Association*, 13-cv-1108-GMN-NJK, Docket No. 11 (Sept. 27, 2013) (amending proposed discovery plan submitted by Plaintiff’s counsel because, *inter alia*, it misstated Local Rule 26-4); *Miller v. Paverstone, LLC*, 12-cv-2198-JCM-NJK, Docket No. 20 at 1-2 (May 14, 2013) (denying proposed discovery plan submitted jointly by Defendant’s counsel because, *inter alia*, it misstated Local Rule 26-4).